IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 28TH SEPTEMBER 2007 / 6TH ASWINA 1929

WP(C).No. 28774 of 2007(A)

PETITIONER:

S.KUMARA PILLAI, AGED 69 YEARS,
S/O. SIVAN PILLAI, PROPRIETOR,
M/S. S.K.P.TIMBERS, DRAINAGE ROAD, KURIATHY,
CHALAI, TRIVANDRUM.

BY ADV. SRI.C.S.MANU
SRI.S.K.PREMRAJ
SRI.ANOOP JOSEPH
SRI.ANOOP.V.NAIR
SRI.ABHILASH AKBAR
SRI.T.B.SIVAPRASAD

RESPONDENTS:

1. **INTELLIGENCE INSPECTOR,**
   SQUAD NO.II, OFFICE OF THE INTELLIGENCE OFFICER,
   MATTANCHERRY, CAMP AT KARUKUTTY.

2. **INSPECTING ASSISTANT COMMISSIONER,**
   SPECIAL CIRCLE, COMMERCIAL TAXES, TRIVANDRUM.

3. **STATE OF KERALA, REPRESENTED BY**
   THE SECRETARY TO GOVERNMENT OF KERALA,
   DEPARTMENT OF TAXES, GOVERNMENT SECRETARIAT,
   TRIVANDRUM.

BY GOVERNMENT PLEADER SRI.M.P.SREEKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC,J

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W.P.(C)No.28774 of 2007

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Dated this the 28th day of September 2007

JUDGMENT

The petitioner challenges the detention of the goods as per Exts.P3 and P4. It is seen that the officer was not satisfied with the value declared and the explanation offered and therefore the timber was detained. It is thereupon, this writ petition has been filed by the petitioner.

Exts.P3 and P4 has been issued demanding security as the ground of under valuation of timber. Considering the explanation of the petitioner and the documents to be produced enquiry has to be completed. The request of the petitioner, in the meanwhile, is to release the goods on furnishing security.

Accordingly I dispose of the writ petition directing that the goods detained by Exts.P3 and P4 shall be released to the petitioner on remitting 50% of the amount demanded in Exts.P3 and P4 and on furnishing bond with sureties, in terms of rules.

ANTONY DOMINIC, JUDGE

dvs